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OF COUNSEL

JOANNE VITALE

OFFICE MANAGER

Filed Electronically

May 23, 2007

Honorable Harold Baer, Jr.  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

RE: Kesse v. Courier Car Rental  
Index No.: 07CV3550  
D/A: 10/17/00  
Our File No.: 5252d-D

Dear Honorable Sir:

This law firm represents defendants COURIER CAR RENTAL INC. and MURAHAMI KAZUHIRO in the above captioned lawsuit.

Enclosed herewith please find a Stipulation, agreed on consent of the parties capping plaintiff's damages to \$75,000 and remanding this matter to the Supreme Court of the State of New York, Bronx County.

Thank you for your attention to this matter.

Respectfully submitted,  
Galvano & Xanthakis, P.C.

By: Kyle S. Edmonds  
Kyle S. Edmonds, Esq. (8442)

KSE:hs

Hon. Harold Baer, Jr.

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May 23, 2007

CC: Harold Chetrick, PC  
Attorney(s) for Plaintiff  
The Lincoln Building  
60 East 42<sup>nd</sup> Street  
Suite 445  
New York, N.Y. 10165-0445  
212-557-5830

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
CHARLES KESSE

*Filed Electronically*

07 CV 3550

Plaintiff,

-against-

**STIPULATION**

COURIER CAR RENTAL INC. and  
MURAHAMI KAZUHIRO,

Supreme Court, Bronx County  
Index No.13564/07

Defendants  
-----X

IT IS HEREBY STIPULATED by and between the undersigned parties as follows:

1. That the maximum amount of damages which plaintiff may claim and/or be awarded is Seventy-Five Thousand Dollars. Plaintiff waives all rights to seek damages in excess of Seventy-Five Thousand Dollars.
2. That plaintiff, pursuant to CPLR 3017(c), seeks damages of \$75,000 and waives all rights within the CPLR to seek an amendment and/or supplement to the damages to which he deems himself entitled.
3. That plaintiff hereby waives any and all rights to seek an increase to the ad damnum clause in the complaint in excess of Seventy-Five Thousand Dollars.
4. That the matter is remanded to the Supreme Court of the State of New York, Bronx County.

Dated: New York, New York  
May 21, 2007



**GALVANO & XANTHAKIS, P.C.**

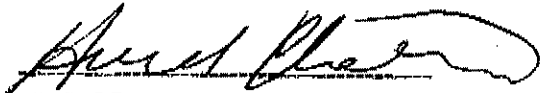
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